

Planning and Zoning Commission
Special Meeting
Monday May 7, 2012
Salem Town Office Building, 7:00 pm

Present: K. Buckley-Chairperson, R. Amato, G. Fogarty Alt, H. Green Alt, R. Savalle, V. Smith, W. Volberg, G. Walter, M. Chinatti, Town Planner/ZEO, S. Spang, Recording Secretary

Absent: D. Bingham, M. Darling, Alt

Guests See Sign in Sheet

CALL TO ORDER: K. Buckley called the meeting to order at 7:00 PM

PUBLIC HEARING-SE# 12-04-01 T. Cunningham applicant, Hiram Bingham Development Corp. 20 Darling Road owner, request for establishment of a shopping center per Section 8.3.6 if the Zoning Regulations. For discussion and possible action.

G. Fogarty was seated for D. Bingham.

K. Buckley read the procedures for the Public Hearing. She formally opened the Public Hearing at 7:07 PM.

T. Cunningham, applicant, presented the plans for conversion of the property to a shopping center under Special Exemption 8.3.6 of the Zoning Regulations. She stated there is an existing business on the property which is an ice cream store. T. Cunningham stated there is a residential house which will be converted to accommodate the bakery, a retail use. She stated she filed a permit with the Inland Wetlands and Conservation Commission due to proposed work in the upland review area.

T. Cunningham stressed the importance of expediting the application due to the bakery losing their lease at their current place of business.

She addressed the driveway request by the Fire Marshal/Director of Public Works to have the road 20 feet wide at all places.

M. Chinatti stated the width of the road cannot be waived.

M. Chinatti went through the waiver requests by the applicant. She stated these are typical request for this type of application.

K. Buckley asked for Public Comments

Dana Abetti stated she hopes that the Commission finds in favor of the application. The bakery is a great fit with the town.

Todd Solek, owner/operator of Farm to Hearth Bakery asked about the width of the driveway. T. Solek stated he just wants to know if his business will be allowed to be at

the proposed location. T. Solek stated his displeasure with the business next to him at his current location.

The Commission stated that he find the proper venue for his complaints but that the Planning and Zoning Commission is not the place.

G. Walter addressed the road/driveway width of the regulations.

M. Chinatti stated she disagreed with the interpretation of the regulation which G. Walter was referring to. She stated that he consider the frequency of use the driveway will get when the bakery moves there. It is not going to be an infrequent use.

K. Buckley asked for other comments.

Jesse Shelton, East Lyme. Stated he just moved to town and supports the application.

M/S/C (Amato/Smith) to close the Public Hearing on SE# 12-04-01. Vote: Approved Unanimously

The Commission addressed the eight findings of the Special Exception regulations and if they are satisfied. The Commission found that all satisfied the regulation.

The Commission addressed the waivers the applicant submitted.

M/S/C (Buckley/Amato) to approve waivers of Sections 11A 4.2, 11A 4.3, 11A 4.4, 11A 4.7, 11A 4.9, 11A 4.10, 11A 4.11, 11A 4.12, and 11A 4.13 as requested. Vote: Approved Unanimous.

M/S/C (Buckley/Fogarty) to approve the applicants request to submit a fee of \$250.00 in lieu of digital data submission of the final approved plan, said fee to be paid prior to endorsement of the mylar. Vote: Approved Unanimously

M/S/C (Buckley/Fogarty) to approve Special Exception # 12-04-01, T. Cunningham, applicant, Hiram Bingham Development Corp., owner, for property at 20 Darling Road, request for establishment of a shopping center per Section 8.3.6 of the Zoning Regulations with the following condition:

- 1. The plan shall be revised to show the travel portion of the driveway is 20' in width throughout its length, said driveway to be widened as necessary, on the property owner's side of the driveway, to accomplish the 20' width during project construction. Vote: Approved Unanimously**

Adjournment

M/S/C (Amato/Savalle) to adjourn the meeting at 8:00

Respectfully Submitted

Sue Spang
Recording Secretary